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PTO/SB/21 (6-98)

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<b>TRANSMITTAL FORM</b> (to be used for all correspondence after initial filing)	Application Number	09/954,571	
	Filing Date	9/11/2001	
	First Named Inventor	CHIEN, Kenneth R.	
	Group Art Unit	1646	
	Examiner Name	unknown	
Total Number of Pages in This Submission	286	Attorney Docket Number	6627PA0123

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Small Entity Statement <input type="checkbox"/> Request for Refund	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Additional Enclosure(s) (please identify below): 14 cited references (281 pp.); return postcard
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	COLLEEN J. McKIERNAN, Reg. No. 48,570
Signature	
Date	October 10, 2002

CERTIFICATE OF MAILING			
I hereby certify that this correspondence is being deposited with the U. S. Postal Service as first class mail in an envelope addressed to: U.S. Patent and Trademark Office, P.O. Box 2327, Arlington, VA 22202 on this date: 10/10/2002			
Typed or printed name	Karen L. Johnson		
Signature		Date	October 10, 2002

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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of )  
Kenneth R. CHIEN et al. ) FOR: HIGH EFFICIENCY CARDIAC  
Serial No.: 09/954,571 ) GENE TRANSFER  
Filed: September 11, 2001 ) Group  
Art Unit: 1646

INFORMATION DISCLOSURE STATEMENT  
UNDER 37 C.F.R. §§ 1.97(c) and 1.98

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Commissioner for Patents  
Washington, D.C. 20231

Attention: Examiner

Dear Sir:

Applicants submit herewith references of which they are aware, which they believe may be material to patentability of the invention disclosed and claimed in the above-cited application and with respect to which there may be a duty to disclose in accordance with 37 C.F.R. § 1.56.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231 on:

October 10, 2002  
(Mailing Date)

Karen L. Johnson  
(Typed Name)

*Karen L. Johnson*  
(Signature)

October 10, 2002  
(Date of Signature)

Applicants are submitting herewith copies of the references which are set forth on the attached Form PT/SB/08A. As all relevant parts of the references are in the English language, no explanation of the references is provided herein.

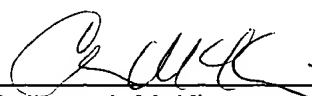
Applicants, by their undersigned attorney, certify that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Statement. Consequently, no fee is required. However, the Commissioner is authorized to charge any fee which may be determined to be due to Deposit Account No. 02-4070, referencing Docket No.6627-PA0123.

Further, while the references provided in this Information Disclosure Statement may be material to patentability pursuant to 37 C.F.R. § 1.56, it is not intended to constitute an admission that any reference referred to herein is prior art for this invention unless specifically designated as such.

Also, in accordance with 37 C.F.R. § 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 C.F.R. § 1.56(a) exists.

Respectfully submitted,

Dated: October 10, 2002

By:   
Colleen J. McKiernan  
Patent Agent for Applicants  
Registration No. 48,570

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Docket No.: 6627-PA0123



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Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

**Complete if Known**

Application Number	09/954,571
Filing Date	September 11, 2001
First Named Inventor	Kenneth R. CHIEN
Group Art Unit	1646
Examiner Name	unknown

Sheet	1	of	2	Attorney Docket Number	6627-PA0123
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**RECEIVED****OCT 18 2002****TECH CENTER 1600/2900****U.S. PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY
		Number	Kind Code <sup>2</sup> (if known)		
	1	5,652,122		Frankel et al.	07-29-1997

**FOREIGN PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	T <sup>6</sup>
		Office <sup>3</sup>	Number <sup>4</sup> (if known)	Kind Code <sup>5</sup>			
	2	PCT	WO 00/25804		The Regents of the University of California	05-11-2000	
	3	PCT	WO 97/37224		Medical Research Council	10-09-1997	
	4	PCT	WO 99/30696		Orion Corporation	06/24/1999	
	5	France	2,753,722 (abstract translated)		Smithkline Beecham	03-27-1998	X

**OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS**

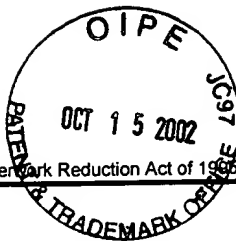
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	6	Dillmann, Wolfgang, Influences of Increased Expression of the Ca <sup>2+</sup> ATPase of the Sarcoplasmic Reticulum by a Transgenic Approach on Cardiac Contractility. Annals New York Academy of Sciences, pp. 43-48, 1998	
	7	Donahue, J. Kevin et al. Ultrarapid, highly efficient viral gene transfer to the heart. Proc.Natl.Acad.Sci. USA vol. 94, 4664-4668, 1997	

Examiner Signature		Date Considered	
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to application.

<sup>1</sup>Unique citation designation number. <sup>2</sup>See attached Kinds of U.S. Patent Documents. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent documents.

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8	He, Huaping et al. Effects of Mutant and Antisense RNA of Phospholamban on SR Ca <sup>2+</sup> -ATPase Activity and Cardiac Myocyte Contractility. Circulation, 974-980, 1999	
9	He, Huaping et al. Influence of an Antisense Phospholamban Transcribed by an Adenoviral Vector on Ca <sup>2+</sup> ATPase in Cardiac Myocytes. Journal of Molecular and Cellular Cardiology, vol. 29, No. 6, A181, 1997	
10	Ikeda, Yasuhiro et al. In Vivo Gene Transfer of Deficient $\delta$ -Sarcoglycan Protein in BIO14.6 Cardiomyopathic Hamster Hearts. Circulation, 313, 2000	
11	Koss, Kimberly et al. Phospholamban: A Prominent Regulator of Myocardial Contractility. Circulation Research, vol. 79, No. 6, 1059-1063, 1996	
12	Logeart, Damien et al. Highly Efficient Adenovirus-Mediated Gene Transfer to Cardiac Myocytes after Single-Pass Coronary Delivery. Human Gene Therapy 11:1015-1022, 2000	
13	Logeart, Damien et al. How to Optimize In Vivo Gene Transfer to Cardiac Myocytes: Mechanical or Pharmacological Procedures? Human Gene Therapy 12:1601-1610, 2001	
14	Toyofuku, Toshihiko et al. Amino Acids Glu <sup>2</sup> to Ile <sup>18</sup> in the Cytoplasmic Domain of Phospholamban Are Essential for Functional Association with the Ca <sup>2+</sup> -ATPase of Sarcoplasmic Reticulum. The Journal of Biological Chemistry, vol. 269, No. 4, 3088-3094, 1994	

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